

OF NOTE



Reading this at work?

How long did it take to get there? Using U.S. Census Bureau data, a study by UnitedStatesZipCodes.org shows that Utahns endure an average commute time to work of 22 minutes. People in the 84720 ZIP code in Cedar City have the shortest average commute, at 13 minutes. The longest is Eagle Mountain (84005), at 34.6 minutes.

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A data center, like this Facebook facility in Forest City, North Carolina, that will be replicated in Eagle Mountain, is one example of a business that could be attracted to mega sites — large, undeveloped areas that can handle capital spending of at least \$1 billion and employment of 1,000 or more.

EDC Utah pushing mega sites to boost appeal for large firms

Brice Wallace
The Enterprise

Utah economic development officials are hoping that mega sites will have mega benefits for Utah.

Speaking at a recent gathering of ULI Utah and NAIOP Utah, a representative of the Economic Development Corporation of Utah (EDC Utah) said the organization's program to certify and market large sites will bolster the state's ability to compete for large-scale projects that could mean high capital investment and/or high employment numbers for companies that select the sites.

Katherine Morrell, EDC Utah community strategist and manager of the Utah Mega Sites program, listed several companies that Utah had sought but instead put their projects elsewhere. They include Toray Industries, with a 500-job, \$1 billion project that ended up in South Carolina; Mitsubishi, a 500-job, \$325 million facility in Georgia; Volkswagen, a 2,000-job, \$1 billion project in Tennessee; Severstal, a 650-job, \$625 million project in Mississippi; and Teijin, a 220-job, \$600 million project in South Carolina.

see MEGA SITES page 14

Jobless rate stays steady in May at 2.9%

Steady as she goes.

Utah's May unemployment stayed unchanged at 2.9 percent, according to numbers released last week by the Utah Department of Workforce Services (DWS). That means only approximately 45,500 Utahns were unemployed and actively seeking work during the month.

Meanwhile, the national unemployment rate was also unchanged at 3.6 percent, according to the U.S. Bureau of Labor Statistics.

Over the past year, Utah's nonfarm payroll employment has grown by an estimated 2.9 percent, adding 44,200 jobs to the economy since May 2018. Utah's current number of employed sits at 1,556,400.

But there are still jobs to be found. "Job-seeker opportunities remain robust as we continue to experience strong job growth and markedly low unemployment," said Mark Knold, senior economist at DWS. "While the job growth rate did abate a bit in May, it does not reflect an underlying softening in economic demand."

Utah's private-sector employment has grown by 3.1 percent year-over-year with the addition of 39,200 positions. All 10 of the private-sector industry groups measured in the establishment survey posted net job increases in May.

The largest private-sector employment increases were in education and health services (7,700 jobs); trade, transportation, and utilities (6,600 jobs); and professional and business services (6,300 jobs). The fastest employment growth occurred in information (4.7 percent); manufacturing (4.7 percent); and education and health services (3.8 percent).

Utahns still feeling good about economic prospects

Despite an apparent waning of economic confidence across the U.S., Utahns continue to believe that things are pretty good. The Zions Bank Utah Consumer Attitude Index (CAI) increased a strong 2.4 points to 115.6 in June. Year over year, the CAI has risen 3.8 points since June 2018. By comparison, the national Consumer Confidence Index decreased 9.8 points to 121.5 during June.

The Utah Present Situation Index, a sub-index of the CAI, rose 2.4 points to 128.5 in June, 1.7 points higher than in June 2018. Both the month-to-month and year-

over-year increases were due to Utahns' strengthening confidence in job availability.

In June, 66 percent of Utahns believed that jobs are plentiful, the highest point ever recorded since Zions Bank began measuring Utahns' economic sentiment in January 2011. The current level of job optimism is 6 percent higher than in May and 7 percent higher than in June 2018. Utahns' confidence in current general business conditions is at the three-year average, with 59 percent feeling conditions are good.

The Utah Expectations Index in-

creased 2.1 points to 107.0, a jump of 5.1 points since June 2018. Job and income positivity are the leading causes of Utahns' rising expectations. Thirty-six percent of Utahns believe their household income will increase within the next six months, 6 percent more than last year. Additionally, fewer Utahns are pessimistic about job availability prospects, with only 12 percent believing that fewer jobs will be available in the next six months, a drop of 4 percent from June 2018.

see CAI page 15





Petroteq Energy's CEO David Sealock explains the process by which oil is extracted from tar sands at the company's Asphalt Ridge plant near Vernal. The virtual tour of the processing facility on a new video released by Petroteq.

Petroteq video explains oils sands process

Ever wonder what it takes to get salable oil out of eastern Utah's tar sands? Petroteq Energy Inc. has the only operating oil sands extraction facility in Utah and now it has released a seven-minute video that explains the process.

"Follow the Molecule," produced by V6 Media of Vernal, provides a virtual tour of the Asphalt Ridge oil processing plant. The tour is narrated by Petroteq CEO David Sealock and takes place while the plant is in operation. It can be viewed on the Petroteq website or on Vimeo at <https://vimeo.com/341690341>.

"Follow the Molecule" provides a unique opportunity for shareholders and analysts to view the revolutionary, environmentally

friendly process that the company has implemented to exploit its total gross contingent resource of in excess of 130 million barrels of surface oil sands heavy oil in place," Petroteq said in a release to shareholders.

The video details the transformation of highly oil-saturated feed ore recovered from the mining operation to heavy crude oil in the sales tank through a combination of video and animated process diagrams to provide an understanding of the company's proprietary processes.

Paul Thompson, facility operations consultant at the Asphalt Ridge plant is also seen explaining the process in the video.

"I am delighted to be able to show our investors the results of

the company's efforts over the last two years," said Sealock. "We believe we have achieved commercial operations, both in terms of plant run time and quality of the crude oil produced. The current maintenance program the company is conducting is anticipated to get us in a position to consistently produce the grade of crude oil our customers expect and better implement production expansion in a timely and efficient manner."

Petroteq began planned equipment modifications to the sand separation process in May. The equipment alterations are expected to decrease future maintenance costs and increase the efficiency of the facility in reaching its production goals of up to 4,000 barrels per day by end of 2020.

Biskupski fires back at legislature's action by filing amended Port Authority suit

Salt Lake City Mayor Jackie Biskupski has amended a lawsuit she filed in March challenging the constitutionality of the planned Utah Inland Port. The amended suit is in response to action taken by the 2019 Utah Legislature expanding the reach of the Utah Inland Port Authority. The filing also asks the Third Judicial District Court to issue a temporary injunction shutting down any activities of the Inland Port board until the lawsuit is decided.

The lawsuit's main complaints remain over issues involved with land use and taxing authority that Biskupski claims the port legislation steals from the city. The changes to the original 2018 law creating the port were made in HB433, which was passed in this year's legislative session after talks about the port between Biskupski and Gov. Gary Herbert broke down. The mayor said she broke off talks with the governor once she realized the state would not return land use and taxing authority for the port lands to the city.

HB433 expanded the Inland Port Authority's reach beyond the original 16,000-acre parcel in the city's Northwest Quadrant to other areas of the state and allows the board to join with other communities to promote the exporting of coal, oil, gas, hay and other commodities. The bill also removed a ban on cities bringing lawsuits against the authority.

"HB433 is proof that the state has no intention of negotiating in good faith or addressing any of the serious concerns raised

by my administration, namely land use and taxing authority," Biskupski said in a news release announcing the revised suit. "The bill made a bad deal for Salt Lake City even worse, and I hope has shown that city representatives need to finally stand united to fight this unprecedented attack on our residents."

Other provisions of HB433 cited and objected to in the lawsuit include provisions that would give the authority 100 percent of the city's property tax increment, give the port a portion of the city's sales tax revenue and allow the port authority to substitute its judgment for the city's own land use appeals in the port authority's jurisdiction. HB433 also increases the period of time the port authority can take the property tax increment from 25 years to 40 years.

The injunction sought by the mayor asks the court to prevent the port authority from spending or committing any of the city's property tax increment or sales tax revenue pending the outcome of the case. The complaint also asks the court to prevent the port authority from engaging in any planning, design or construction of site improvements or public infrastructure in the jurisdictional area. The state has authorized a \$5 million loan to the port for infrastructure improvements. The loan would be paid back by city property tax increment.

Named as defendants in the amended lawsuit are Herbert, the state of Utah, the Utah Inland Port Authority and Attorney General Sean Reyes.



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4th West sale is state's largest

4th West, a 493-unit luxury apartment community in Salt Lake City, has been sold in a transaction hailed as the largest total dollar single-asset sale in Utah history.

4th West, located at 255 N. 400 W., was built in 2017 by Salt Development.

The sale was announced by the Salt Lake office of CBRE. Eli Mills and Patrick Bodnar of CBRE represented Salt Development in the transaction.

"4th West incorporates thoughtful design and delivers a best-in-class, luxury, condo-quality experience. It is urban resort living at its best," Bodnar said. "The property features high-class finishes like commissioned artwork; chef-inspired kitchens with stainless steel appliances, gas

cooktops and quartz countertops; and oversized balconies, to name a few. In addition, the entire fifth floor consists of penthouse units with an even higher level of finishes."

4th West received the 2018 Development of the Year award by the Utah CCIM chapter.

"Salt Lake City is maturing rapidly and competing with markets like Portland, Denver and Phoenix," Mills said. "Sale transactions like 4th West have put Salt Lake on the radar as a preferred investment market for multifamily assets where large institutional, private equity and high-net-worth investors can realize scalability and liquidity. 4th West establishes the flight-to-quality the market was ready to embrace."

Huge damages award may spell end for Provo's VidAngel filtering service

John Rogers
The Enterprise

Late last month, a jury ordered Provo-based video filtering service VidAngel to pay \$62.4 million in damages to Disney, Fox and Warner Bros. for streaming hundreds of movies on its service without permission.

The verdict is potentially a death blow to the company, which sought to allow family audiences to watch Hollywood fare while skipping past violence, sex and other objectionable content.

"We disagree with today's ruling and have not lessened our resolve to save filtering for families one iota," said VidAngel CEO Neal Harmon. "VidAngel plans to appeal the district court ruling and explore options in the bankruptcy court. Our court system

has checks and balances, and we are pursuing options on that front as well."

U.S. District Judge Andre Birotte had already ruled that VidAngel's service was illegal, leaving the jurors to decide only the amount of damages. VidAngel ripped movies from DVD copies and then streamed them to users with offensive content filtered out. The company argued this was allowed under the federal Family Movie Act, but Birotte did not agree and ordered the service to shut down in December 2016. The company later relaunched a filtering service for Netflix and Amazon, which it continues to operate.

The case has been working its way through court since then. At trial, the studios asked the eight-member jury to impose the maximum penalty of \$125 mil-

lion for illegally streaming 819 movies, arguing that the company had willfully violated copyright law. VidAngel's attorney, Mark Eisenhut, asked jurors to levy the minimum of \$600,000.

In their verdict, the jurors landed halfway between those two figures.

"It feels like the jury split the baby," Harmon said in an interview. "It just so happens that halfway in-between is not a good situation for us."

In the wake of the judgment, the studio group filed a motion in U.S. Bankruptcy Court in Utah that week that seeks to keep VidAngel from hiding assets ahead of the plaintiff's attempts to collect on the judgment. The studios said in the filing that they believe the recent transfer of intellectual property from VidAngel to a company named Skip Foundation Inc. is a "sham transaction" designed to hide assets. Skip Foundation is a registered Utah nonprofit headed by Bill Aho, former CEO of ClearPlay, another local video filtering service.

VidAngel is already in bankruptcy in Utah, and has about \$2.2 million in the bank,

according to court records. The jury's verdict — if it is upheld — could force the company into liquidation.

In a statement, the studio plaintiffs applauded the verdict.

"The jury today found that VidAngel acted willfully and imposed a damages award that sends a clear message to others who would attempt to profit from unlawful infringing conduct at the expense of the creative community," the plaintiffs said through their attorney Kelly Klaus.

Klaus, who argued the case for the plaintiffs, noted in his opening statement that VidAngel customers could stream movies for as little as \$1, undercutting services like Amazon and iTunes that had paid for their content.

Harmon said that customers who use the current service will not notice any immediate changes. "In a matter of months, we should have a better picture of what kind of guidance we can give customers going forward," he said.

Harmon said he was frustrated that the trial did not allow the

jurors to decide whether filtering is legal — only the penalty for the violations. "It wasn't a trial of both liability and damages," he said. "Had it been so, it would have been easier for the jury to see our side of the story."

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Newmark Group acquires Newmark Grubb ACRES, including Salt Lake office

A global real estate services business has acquired a southwestern firm with which it has had an alliance agreement.

Newmark Group Inc., which operates Newmark Knight Frank (NKF), has acquired ACRES, which has operated as Newmark Grubb ACRES through an agreement with NKF. Financial terms were not disclosed.

ACRES has five offices and 45 broker professionals providing landlord and tenant representation, investment sales and asset management services to nearly 10 million square feet, focusing on the Utah; Boise, Idaho; and Reno, Nevada, markets. It was founded in 2000 by Mike Falk, Kyle Roberts, Paul Keyser, Zach Anderson and Steve Condie.

The Utah offices are in Salt Lake City, Davis/Weber counties and Utah County.

NKF said acquiring ACRES strengthens Newmark Group's position in the Southwest, solidifying its market share in a key region experiencing robust demand for commercial real estate services.

"NKF's commitment to acquiring the best expertise in key markets and regions underscores our focus on expanding local and national service offerings, and ACRES fits soundly into our platform of comprehensive services designed to meet the complex and diverse needs of clients," said Barry Gosin, CEO of Newmark Group. "With its prominence in industrial, office and capital markets and the growth opportunities in the

Salt Lake City market and the Silicon Slopes, ACRES is an important addition to NKF."

"ACRES has wholeheartedly embraced NKF's diversified national platform and global reach, which has created opportunities for providing greater market coverage and depth of services to its clients, many of which are local and regional investors," said Greg May, NKF executive vice president and market leader of the West Region.

"Leading operational and recruiting efforts locally will be Managing Director Nick Wood, who has been with ACRES for nearly two decades and has extensive experience on both the brokerage and operations side. ACRES' success since taking on the Newmark name is a tremendous example of how burgeoning companies thrive under the NKF brand."

"NKF's platform bolsters our strength across service lines and is particularly advantageous to our capital markets professionals and clients. We are thriving under the NKF brand," said Roberts, executive managing director. "I'm looking forward to new opportunities after our acquisition by NKF, including further perfecting our client service delivery while escalating our business operations and continuing to build our team of talented professionals."

NKF, together with London-based partner Knight Frank and independently owned offices, has 16,000 employees in roughly 430 offices on six continents.

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BYU's iconic Amanda Knight Hall has been purchased by Mountain Classic Real Estate and will undergo extensive restoration. The firm has not announced final plans for the historic building's use.

MCRE buys BYU's Knight Hall, plans restoration

Brigham Young University's historic Amanda Knight Hall is set for a major renovation and conversion to private commercial usage. Mountain Classic Real Estate (MCRE), a Salt Lake City-based investment group known for restoration of historic commercial and multifamily properties, has purchased the property and plans to restore it to its historical gothic-style architectural significance.

Located at 800 N. University Ave. in Provo, Amanda Knight Hall was constructed in 1939 as a women's dormitory and is named after Amanda Knight, the wife of Jesse Knight, a Utah mining magnate who was a member of The Church of Jesus Christ of Latter-

day Saints who was a major donor to BYU in the early 20th century. The hall was used as the first Provo Missionary Training Center and later was the location for the Church Language Training Mission (LTC) from 1964 to 1976. Since then, it has served a variety of short-term academic and auxiliary purposes for the university, such as independent study, the English Language Center and other functions of the MTC.

Some of MCRE's previous projects include the restoration of the Historic Clift and Felt buildings in downtown Salt Lake City and the restoration of the Park Manor Apartments, located on the downtown periphery. Plans for future use of Amanda Knight Hall

are currently under development.

"We believe this is one of the most iconic historic residential properties near campus and are grateful to BYU for their vision in recognizing the significance of this building in our historical cultural journal," said David Phipps, CEO of MCRE. "MCRE focuses on high design developments in the Intermountain West, and our position as the largest renovator of historic buildings in the state stems from the incredible architecture, construction and design that was put into these properties in the early and mid-1900s. We are just very grateful to be able to be involved in bringing the soul back into many of these incredible buildings."

Harrington named CEO of Provo-based InsideSales.com

InsideSales.com, a Provo-based software-as-a-service (SaaS) sales applications company, has appointed Chris Harrington as chief executive officer.

Previously the company's chief operating officer, Harrington will succeed former CEO and founder Dave Elkington, who will remain chairman of the board.

Harrington has experience leading high-growth software companies and has driven nearly 30 percent enterprise customer growth since joining seven months ago, the company said.



Chris Harrington

"This market has heated up in the last two years, with enterprise companies trying to solve for an increasingly challenging sales environment," Harrington said. "I joined InsideSales.com because we have the opportunity to build an unrivaled platform and lead in this space. The revenue uplift we drive for enterprise customers is unparalleled."

"As CEO, I'm focused on telling this story, executing on our platform strategy, and putting the right operational groundwork in place to support continued scale, growth and innovation. I want to thank Dave Elkington and the InsideSales.com board of directors for this incredible vote of confidence."

Before joining InsideSales.com, Harrington steered widespread SaaS adoption for digital sales and marketing companies Omniture, Adobe and Domo. At Omniture, Harrington drove seven years of annual recurring

revenue growth from \$4 million to over \$500 million. Omniture grew to serve more than 5,000 global customers before it was acquired for \$1.8 billion by Adobe Systems, where he led all enterprise sales for the Americas and was responsible for \$890 million in revenue. Most recently, Harrington was president of the \$2 billion business intelligence leader Domo, where he worked with InsideSales.com board members Josh James and Mark Gorenberg to create one of the fastest-growing enterprise software companies.

"As InsideSales.com continued to grow and my vision of creating a software company that enables the largest enterprise companies in the world to service their customers from lead to renewal became a reality, I had always planned to find a leader with the unique skills and abilities to take the company to the next level into that market," Elkington said.

"This past year, I was fortunate enough to work alongside Chris. He has proven himself a software and sales visionary and an unmatched growth leader in the SaaS industry time and time again. Chris takes over at a key inflection point and shift in trajectory for InsideSales.com. He's the ideal leader to enable us to fully capitalize on the massive market potential we've unlocked with our enterprise solutions."

Founded in 2004, InsideSales.com closed its 2019 fiscal year having reached new milestones across the business, including growth of its platform data to over 75 million companies with more than 204 million individual profiles, captured from 110 billion sales interactions.

Profire acquires Canadian firm

Lindon-based Profire Energy Inc., a technology company which creates, installs and services burner and chemical management equipment in the oil and gas industry, has announced that its wholly owned subsidiary, Profire Combustion Inc., has acquired Millstream Energy Products Ltd. of Victoria, British Columbia, Canada. Profire paid \$2.5 million for Millstream assets. The transaction closed on June 18.

Millstream Energy Products is a privately held Canadian company that develops a line of high-performance burners, economy burners, flame arrestor housings, secondary air control plates and other related combustion components. The company's full line of products will become available

for sale by Profire's existing sales team immediately.

Profire was founded in 2002 and employs about 100 in its Utah operation.

"We are excited to announce the acquisition of Millstream Energy Products," said Brenton W. Hatch, president and CEO of Profire Energy. "With the addition of the MEP product line, we expect to be able to provide our customers with a complete best-in-class burner management solution while maintaining our historically strong product margins. This is a strategic step in our long-term growth plan, allowing the company to position itself as the only full solution provider for the burner management system industry."

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Cache County's Automated Solutions Inc. is working with the U.S. Army on effective control and stopping of large automated vehicles.

ASI receives funding from Army for braking systems development

Mendon-based Autonomous Solutions Inc. (ASI) has received Phase I funding from the U.S. Army Combat Capabilities Development Command Ground Vehicles Systems Center to improve the way heavy vehicles stop while operating autonomously. The Cache County company has been working with the Army since 2014 on the operation of self-driving vehicles on varied terrain, the company said.

“Bringing large autonomous vehicles to a safe stop in varying environments can be challenging,” said Jeff Ferrin, chief technical officer at ASI. “Having additional funding from the Army to further develop this technology will help us make autonomous vehicles safer, which is always our No. 1 priority.”

The objective of the Army in awarding the grant is to develop and demonstrate a system that can be operated remotely and considers both the dynamics of the vehicle, as well as the environment, to optimally and safely bring a large ground vehicle to a complete stop despite the terrain, according to an ASI release.

“ASI has been working on terrain characterization with the Army

since 2014,” said Ferrin. “This project will use similar technology to make sure the vehicle is aware of the terrain around it. This model of the terrain will then be used by the vehicle to ensure a safer stop is completed.”

A significant focus of this intelligent urgent stop initiative is machine learning, Ferrin said. The improved technology will continuously monitor the interaction between a vehicle and its surroundings and update the internal model that is used to properly halt the vehicle. This process will allow the vehicle to learn and adapt as the terrain and environment change.

“The system can be used with any drive-by-wire vehicle,” Ferrin said. “It will interface with the brakes and steering to bring the vehicle to a safe, controlled stop.”

Autonomous Solutions is a leader in industrial vehicle automation and serves clients across the world in the mining, agriculture, automotive, government and manufacturing industries with remote control, teleoperation and fully automated vehicles from its headquarters and 100-acre proving ground about 10 miles west of Logan.

UCAIR calls for grant applications

The Utah Clean Air Partnership (UCAIR) has opened its annual grants program. The organization annually makes grant funding available to support projects that directly reduce pollutants and emissions, provide research on the impacts of air quality to Utah’s health and economy or create resources for communities and municipalities to use in their local air quality improvement activities.

Private-sector companies, government entities and educational institutions are eligible to apply for the grants and applications will be accepted through July 29. Awarded grants average between \$20,000 and \$30,000. Organizations selected to receive UCAIR grants funding will be chosen based on the measurable impact the program or project would provide toward reducing emissions

at home, in the community and at work, UCAIR said in a release.

Now in its seventh year, the UCAIR grants program has awarded 59 grants totaling more than \$2 million dollars.

“Utahns have so many ideas, studies and technology innovations that can help in the quest for better air, but many struggle to make them a reality because they lack the resources,” said UCAIR executive director Thom Carter. “These grants make it possible to turn concepts into practical solutions.”

Grant funding comes from private donations and grant recipients are encouraged to match a percentage of the grant amount.

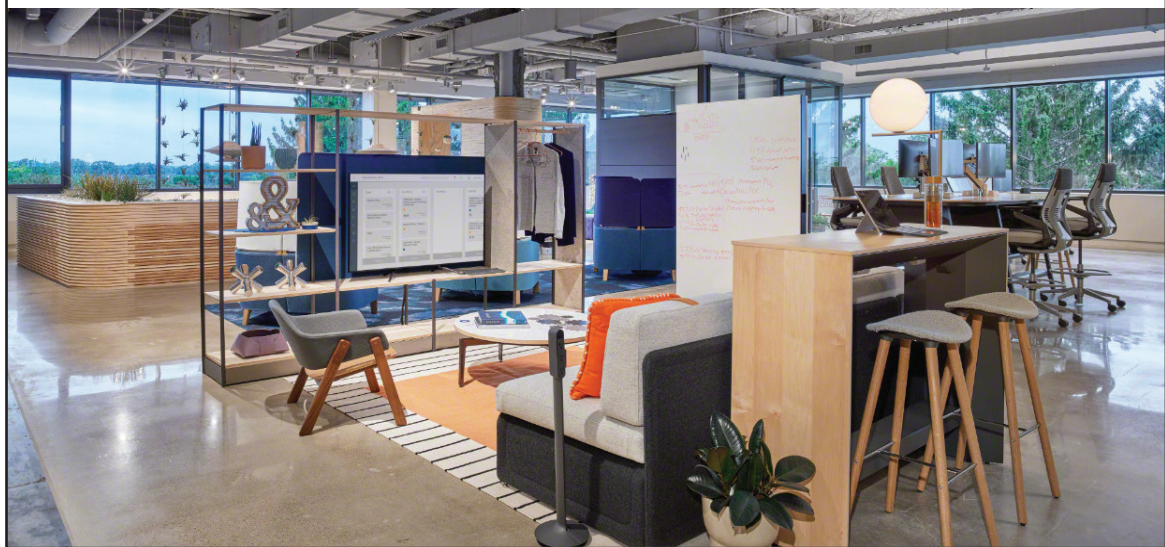
The application, guidelines, criteria and deadlines for the UCAIR grants can be found at <https://www.ucair.org/ucair-grant/>.



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ECONOMIC INDICATORS

• The **No. 1 occupation type** for new college graduates in the Salt Lake City metro area is **management**, which pays an average salary of \$99,500, according to a study by **RentHop**. The study considered the top 50 metro areas in the U.S. and the 12 major occupation fields most likely requiring a bachelor's degree or higher and the annual income by occupation field at the metro level. Details are at <https://www.renthop.com/studies/national/new-graduates-heres-where-to-move-to-make-the-most-money>.

• **St. George** is No. 6 and **Provo-Orem** is No. 12 in a list of **"Most Dynamic Metropolitans,"** compiled by the **Walton Family Foundation** and **Heartland Forward**. St. George is No. 5 among metro areas with a population of 499,999 or fewer. Provo-Orem is No. 1 among metros with a population between 500,000 and 999,999. The top-ranked metro area is Midland, Texas.

• **Utah** is ranked No. 44 for the **most expensive nursing homes** in the U.S., according to a study by **SeniorLiving.org** that used the most recent data from a 2018 Genworth Cost of Care Survey. The average monthly cost of a semi-private room in Utah is \$6,083. Nationally, the average annual cost of a semi-private room was \$89,297 in 2018 and is projected to rise to \$120,008 by 2028. Between 2016 and 2018, the Utah price grew by 8 percent.

GOVERNMENT

• The **Utah Department of Commerce's Division of Real Estate** is warning the public about a rapidly growing email scam that targets property transactions to coerce respondents into wiring down payments and other high-dollar real estate proceeds to con artists' accounts. Division investigators report the email scam targets real estate agents, title companies and their email accounts to gain access to message traffic that tips off fraudsters when transactions are scheduled to fund consumer loans. Typically, within 24 hours of a transaction closing, scammers will use the email account to send new wiring instructions to the buyer, seller, title or escrow agent, lender, real estate agent or broker.

• The **Utah Department of Commerce's Division of Consumer Protection** has

received a report that phony texts pretending to be from Wells Fargo Bank are being sent to consumer phones. The alert text asks the recipient to call a phone number that leads to a recorded message claiming that the person's Wells Fargo bank account was compromised and that bank needs to confirm important personal information. According to Wells Fargo Bank, the texting scam has been reported in neighboring western states but had not been reported previously in Utah. The scheme is an example of what is commonly known as an "imposter scam," where someone pretends to represent a real entity such as Wells Fargo Bank to dupe the consumer into revealing personal account and identity information to the fraudster. The division is encouraging potential victims to never provide personal information or bank account details to anyone over the phone; to avoid wiring money, pay with a gift card or send cash; and call the established contact numbers published for the real company or government agency to find out more information.

• **Twenty-nine local governments in Utah** will receive a total of \$40.9 million under the federal **2019 Payments in Lieu of Taxes (PILT)** program, which compensates communities for supporting public lands and waters and invests in firefighters, police, schools and road construction. PILT are made to local governments to help offset their inability to tax federal property. The total 2019 distribution is \$514 million to more than 1,900 counties. In Utah, the highest amount is more than \$3.7 million going to **Tooele County**. A full list of funding by state and county is available at www.doi.gov/pilt.

INVESTMENTS

• **Vivint Solar Inc.**, a Lehi-based solar products provider, has received commitments for an additional \$100 million on tax equity financing, which the company said will enable it to design and build low-cost, clean energy systems for over 8,000 new residential customers. The syndicated tax equity commitment comes from **RBC Capital Markets** and co-investors arranged by RBC's Tax Credit Equity Group. Vivint Solar operates in 22 states.

LAW

• **Cordell & Cordell** has hired associate attorney **Tyson C. Stokes** for its Clearfield office. Stokes previously served as judicial law clerk for both the San Francisco Superior Court and the Utah First District Court. After his



Tyson Stokes

clerkships, he practiced in a variety of legal areas, including family law, criminal law, estate planning and other general civil matters. His education includes a bachelor of science degree from Utah State University.

MEDIA/MARKETING

• **KUER**, Salt Lake City, has named **Elaine Clark** as managing editor of KUER news. She will work with news director Andrew Becker to oversee the newsroom's 14-member staff, including reporters based at KUER's studios in Salt Lake City and



Elaine Clark

two new bureaus opening in southern Utah. Clark has been a producer on the KUER talk show "RadioWest" for nearly 15 years. Her education includes a master's degree in Middle East studies from the University of Utah.



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PHILANTHROPY

• Employees of **Larry H. Miller Dealerships**, Salt Lake City, along with along with 85 vendors and business partners, raised a record amount at this year's **Larry H. Miller Dealerships Golf Classic**. The dealership group presented a \$450,000 check to **Larry H. Miller Charities**, the charitable arm of Larry H. Miller Dealerships. Funds raised at the golf event will be distributed to charities in the seven states where Larry H. Miller Dealerships does business and will focus on programs that serve women and children, with an emphasis on health and education. Since the inception

of the Larry H. Miller Dealerships Golf Classic in 2012, more than \$1.9 million has been raised for Larry H. Miller Charities, with funds then distributed to qualified nonprofit organizations in the communities where the dealership group has locations.

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REAL ESTATE

• **Urban Utah Homes and Estates** has added new affiliated agents to the brokerage: **Charee Godfrey**, **Catherine "Katie" O'Neil**, **Chad Nestman** and **Cortney Anderson**. The boutique-style brokerage has 30 agents and brokers specializing in small commercial and residential home sales along the tri-city areas of Davis, Salt Lake and Utah counties.

RECOGNITIONS

• The **University of Utah** led a list of 33 organizations ranked by **Forbes** magazine as **"Best Employers in Utah for 2019."** **Forbes** partnered with market research company Statista to survey more than 80,000 Americans working for companies with at least 500 employees. The UofU was fol-

lowed, in order, by Delta Air Lines, Utah State University, University of Utah Health Care, the U.S. Department of Defense, America First Credit Union, Discover Financial Services, Salt Lake Community College, Utah Valley University, Wayfair, Associated Food Stores, Jordan School District, Marriott International, Harmons, Northrop Grumman, ARUP Laboratories, Becton Dickinson, Salt Lake County, Brigham Young University, Nebo School District, Intermountain Healthcare, Kroger, 1-800 CONTACTS, Edwards Lifescience, American Express, BAE Systems, Weber State University, Autoliv, Alpine School District, Nu Skin Enterprises, Micro Focus, Academy Mortgage and Davis School District. Details are at <https://www.forbes.com/best-employers-by-state/#df1d250487a6>.

• The **Utah Department of Commerce's Division of Consumer Protection** has been awarded the **Federal Trade Commission Bureau of Consumer Protection Partner Award** for its dedication and achievements in fighting consumer fraud. The commission recognized the division for consumer outreach through two consumer education "Common Ground" conferences, the division's investigative contributions to national fraud cases, and their partnership in ongoing outreach efforts.

• **Salt Lake City Mayor Jackie Biskupski** recently announced the winners of the **2019 Mayor's Artists Awards**, which recognizes individuals and organizations "who have made an important and positive contribution to the creative arts and the wider Salt Lake City community." For 2019, the

see BRIEFS next page



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Industry Briefs

from previous page

awards categories shifted to highlight artists who have engaged in processes that amplify the city's priorities, including equality, affordable housing, sustainability and more. The award recipients are **DesignBuildBLUFF**, a graduate architecture program at the University of Utah that immerses students in hands-on, cross-cultural experiences through partnerships with the rural and native communities in the Four Corners region of San Juan County; **Margaret Willis**, an artist, teacher, outdoor enthusiast, yogi and gardener; **Utah Museum of Fine Arts, ACME Initiative**, designed to expand and rethink the role that museums play in public life; **Rock n' Roll Camp for Girls**, which seeks to empower girls, transgender and gender non-conforming youths through music education, collaboration and performance; and **Ed Napia**, whose unique and original style of handmade pottery and clay sculpture represent the various stages of his life, from his New Zealand childhood to his time in Hawaii and his move to Utah.

• The **Utah Restaurant Association** recently honored **Utah ProStart Awards 2019**

state winners in Management and Culinary categories. **Management state champion** is **Provo High School**, which also earned third place in the National ProStart Invitational. Second place went to **Maple Mountain High School**. Third place was **Granite Technical Institute**. **State champion in the Culinary category** went to **Alta High School**, which finished in 12th place in the National ProStart Invitational. Second went to **Provo High School** and third to **West High School**. The **Utah ProStart Northern Regional winners (culinary)** are first, **West High School**; second, **Northridge High School**; third, **Tooele Career Learning Center**; and fourth, **Granite Technical Institute**. The **Utah ProStart Central Regional winners (culinary)** are first, **Alta High School**; second, **Westlake High School**; third, **Provo High School**; and fourth, **Carbon High School**. The **Utah ProStart Student of the Year** and **Sysco Intermountain Scholarship** recipient is **Kaitlin Pace**, Provo High School. The **Utah ProStart Educator of the Year** is **Diane Cluff**, Provo High School.

RETAIL

• **Larry H. Miller Dealerships**, Salt Lake City, has

appointed **Michael L. Van Orden** as chief information officer. He will lead the information technology and computer systems teams within the dealership group, including providing strategic IT guidance and direction to the company while maintaining a stable and secure infrastructure, and providing accurate, timely information.



Michael Van Orden

Van Orden has more than 30 years of experience in the IT industry. Most recently, he served as chief technology officer at Sportsman's Warehouse for 18 years. He also held IT positions with Wells Fargo and Litton Guidance & Control Systems. His education includes a bachelor of science in management degree from the University of Utah.

• **Columbia Sportswear Co.** has opened its first brand store in the Salt Lake City metro area at the Shops at Station Park, Farmington. The store offers sportswear, outerwear, footwear and accessories.

SERVICES

• **EdgeFive Group**, a Salt Lake City-based event production company, has hired **Mallory**



Mallory Sass

Sass as head of marketing. The company said the addition will allow it to further expand its product and service offerings into new markets. Sass most recently moved from the San Francisco Bay area, where she spent the past 10 years helping companies cultivate marketing teams to scale, build brand credibility and drive pipeline. Sass has experience in mergers and acquisitions and initial public offerings.

SPORTS

• **Alpine Country Club**, Highland, recently completed golf course enhancement and renovation projects, which include the renovation and modernization of golf course bunkers, new cart paths, and enlarging and improving the existing practice range and putting green. **John Fought Design** oversaw the project while **Duininck Golf** was the contractor responsible for construction. Alpine Country Club is managed by **Troon Privé**, the private club operating division of Troon.

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Calendar

Calendar listings are provided as a free service to our readers. Information about upcoming events may be sent to brice@slenterprise.com. The submission deadline is one week before publication.

July 2, 11:30 a.m.-1 p.m.

Business Alliance Networking Luncheon, a Davis Chamber of Commerce event. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Free. No RSVP required. Details are at davischamberofcommerce.com.

July 5, 8-10 a.m.

First Friday Face-to-Face, a West Jordan Chamber of Commerce business-to-business networking event. Location is the Megaplex Theatres at The District, 3761 W. Parkway Plaza Drive, South Jordan. Free. Details are at <http://firstfridaysnetworking.com/>.

July 5, 8:30-11:30 a.m.

“Grow Your Business: Phase I,” a Small Business Development Center (SBDC) event. Location is the Orem SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://utahsbdc.org/trainings>.

July 9, 10-11:30 a.m.

“How to Become a Leader People Will Follow,” a West Jordan Chamber of Commerce event. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for chamber members, \$10 for nonmembers. Details are at westjordanchamber.com.

July 9, 11:30 a.m.-1 p.m.

Women in Business Luncheon, a ChamberWest event. Speaker Ken Ivory of the Utah House of Representatives will discuss “Shattering the Glass Ceiling: Pursuing Happiness 101.” Location is Crystal Inn Hotel & Suites, 2254 W. City Center Court, West Valley City. Cost is \$20 prior to July 3, \$30 for nonmembers or at the door. Details are at <https://chamberwest.com/events/details/women-in-business-luncheon-683>.

July 10, 11:30 a.m.-1 p.m.

“Let’s Do Lunch,” a Sandy Area Chamber of Commerce event. Location is Garage Grill, 1122 E. Draper Parkway, Draper. Cost is \$20 for members, \$25 for nonmembers. Details are at sandychamber.com.

July 10, 5-7 p.m.

Business After Hours, an Ogden-Weber Chamber of Commerce networking event. Location is Ogden Pioneer Days Stadium, 668 17th St., Ogden.

Free for chamber members and first-time guests. Details are at ogdenweberchamber.com.

July 11, 8-11:30 a.m.

“Diversity, Inclusion and Unconscious Bias,” an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

July 11, noon-1 p.m.

“Facebook Advertising,” a Silicon Slopes event. Location is Kiln, 2701 N. Thanksgiving Way, Lehi. Free. Details are at siliconslopes.com.

July 11, 6:30-8:30 p.m.

“How to Read Financial Statements and Metrics,” a SCORE event. Location is Sandy City Library, 10100 S. Petunia Way, Sandy. Details are at <https://www.sba.gov/event/1634214>.

July 11, 6:30-8:30 p.m.

Small Business Roundtable, a SCORE event. Location is Sandy City Library, 10100 Petunia Way, Sandy. Details are at <https://www.sba.gov/event/1635899>.

July 11, 7-8:30 p.m.

Contactos, a Utah Hispanic Chamber of Commerce networking event. Location to be announced. Free for members, \$10 for nonmembers. Details are at <http://www.utahhcc.com/>.

July 12, 7:30-8:30 a.m.

“Eggs & Issues,” a Murray Area Chamber of Commerce event. Speaker is Matthew Phillips of the Salt Lake County Public Library. Location is Anna’s Restaurant, 4770 S. 900 E., Salt Lake City. Free unless ordering from the menu. Open to everyone. Details are at murraychamber.org.

July 12, 7:45-9 a.m.

Women in Business Networking, an Ogden-Weber Chamber of Commerce event. Location is Weber Center, first floor, 2380 Washington Blvd., Ogden. Free for WIB members. Details are at ogdenweberchamber.com.

July 12, 9 a.m.

Sixth Annual Golf Tournament, a South Salt Lake Chamber of Commerce Foundation nine-hole event. Cost is \$55, \$200 per foursome. Registration deadline is July 8. Registration can be completed at (801) 466-3377.

July 13, 10 a.m.-1 p.m.

“Simple Steps for Growing Your Business,” a SCORE event in Spanish. Location is Day-

Riverside Library, 1575 W. 1000 N., Salt Lake City. Free. Details are at <https://utahsbdc.org/trainings>.

July 15, 11:30 a.m.-1 p.m.

Free Business Coaching, a West Jordan Chamber of Commerce event. Greg Cassat of the Zions Bank Resource Center will be available for consultation in 30-minute appointments. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Details are at westjordanchamber.com.

July 16, 8 a.m.-noon

“Orientation/Onboarding Essentials: Accelerating Competence, Connection and Commitment,” an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

July 16, 10-11:30 a.m.

“Investing in Human Capital,” a West Jordan Chamber of Commerce event. Theme is “The Maxwell Method of DISC” (a workshop on personality and behavior profile). Location is Mountain America Credit Union, 3065 W. 5400 S. Taylorsville. Free for members, \$10 for nonmembers. Details are at westjordanchamber.com.

July 16, 11 a.m.-1 p.m.

“Creating Work-Life Balance for Working Moms,” a Business Women’s Forum event. Presenter is May Anderson, founder of Working Mom’s Connection. Location is 50 West Club & Café, 50 E. Broadway, Salt Lake City. Cost is \$27 for members, \$35 for nonmembers. Details are at slchamber.com.

July 16, 11:30 a.m.-1 p.m.

Southwest Valley Women in Business. Location is The Break (Patio) on SoDa Row, 11274 Kestral Rise Road, South Jordan. Cost is \$15 for members, \$20 for nonmembers. Details are at <https://www.southjordanchamber.org/event-3457742>.

July 16, 11:30 a.m.-1 p.m.

Women in Business Luncheon, an Ogden-Weber Chamber of Commerce event. Location is Ogden Eccles Conference Center, 2415 Washington Blvd., Ogden. Cost is \$20 for WIB members, first-time guests and Athena recipients; \$30 for nonmembers. Details are at ogdenweberchamber.com.

July 16, 11:30 a.m.-1 p.m.

Business Alliance Network-

ing Luncheon, a Davis Chamber of Commerce event. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Free. No RSVP required. Details are at davischamberofcommerce.com.

July 17, 8-10 a.m.

Utah 21st Century Entrepreneur, a VentureCapital.org event. Location is Rev Road, 1555 Freedom Blvd., Provo. Registration can be completed at Eventbrite.com.

July 17, 8-10 a.m.

“Silicon Slopes Town Hall: Tax Reform,” a Silicon Slopes event. Speakers/panelists are Utah Senate President Stuart Adams; Brad Wilson, speaker of the Utah House; Wayne Neiderhauser, former Utah Senate president; and Greg Hughes, former Utah House speaker. Location is Silicon Slopes, 2600 W. Executive Parkway, Suite 140, Lehi. Free. Registration can be completed at Eventbrite.com.

July 17, 8 a.m.-noon

“Legal Issues for Managing Employees with Governments and Special Districts,” an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$245. Details are at employerscouncil.org.

July 17, 9 a.m.-3 p.m.

“Boots to Business,” a U.S. Small Business Administration event that is a two-step training program that provides participants an overview of business ownership as a career vocation, an outline and knowledge on the components of a business plan, a practical exercise in opportunity recognition, and an introduction to available public- and private-sector resources. Location is 5837 D Ave., Building 150, Airmen & Family Readiness Center, Hill Air Force Base. Free. Registration is required. Details are at <https://www.sba.gov/tools/events>.

July 18, 11:30 a.m.-1 p.m.

“Multiplying Lasting Profitable Relationships,” a West Jordan Chamber of Commerce event. Presenter is Clay Neves of Personal Sales Dynamics. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for members, \$10 for nonmembers. Details are at westjordanchamber.com.

July 18, 11:30 a.m.-1 p.m.

Multi-Chamber Lunch, presented by the Murray Area, South Jordan, Southwest Valley and West Jordan chambers of commerce and ChamberWest. Speaker

James Hadlock of BluNovus will discuss “Addicted to Silence: The Alarming Truth of Addiction in the Workplace.” Location is Jordan Valley Water Conservancy Garden Park, 8275 S. 1300 W., West Jordan. Cost is \$20 for members, \$30 for nonmembers. Registration can be completed at southjordanchamber.org.

July 18, 4-6 p.m.

“The ‘Amenities War’ in Multifamily Housing,” a ULI (Urban Land Institute) Utah event. Panelists are David Tillotson, Salt Development; Anna Jones, Greystar; Jonathan Badger, president and CEO, Lee’s Marketplace; and Jason Head, resident. Location is Hardware Apartments, 455 W. 200 N., Salt Lake City. Details are at <https://utah.uli.org/events/>.

July 18, 5:30-7:30 p.m.

TVC Tech Break, a quarterly networking event for technology professionals, produced by the University of Utah’s Center for Technology & Venture Commercialization (TVC). Location is Kiln SLC, 26 S. Rio Grande, Suite 2072, Salt Lake City. Free, but registration is requested. Details are available by contacting Amy Graham at amy@tvc.utah.edu or (801) 213-3566.

July 19, 7:30-8:30 a.m.

“Eggs & Issues,” a Murray Area Chamber of Commerce event. Speaker is Kat Martinez, Murray City Council candidate. Location is Anna’s Restaurant, 4770 S. 900 E., Salt Lake City. Free unless ordering from the menu. Open to everyone. Details are at murraychamber.org.

July 19, 8-10 a.m.

Utah County Speednet, a Utah Valley Chamber speed networking event. Location is SCERA Center for the Arts, 745 S. State St., Orem. Free. Details are at thechamber.org.

July 19, 8:30-11:30 a.m.

“Inclusive: How the Best Leaders Build Diverse and Winning Teams,” a Salt Lake Chamber event. Presenter is Sara Jones, president of InclusionPro. Location is the Salt Lake Chamber, 175 E. 400 S., Suite 600, Salt Lake City. Cost is \$55 for members, \$75 for nonmembers. Details are in slchamber.com.

July 19, 11:30 a.m.-1 p.m.

Monthly Luncheon Series, a Holladay Chamber of Commerce event. Location is Fav Bistro, 1984 E. Murray Holladay Road,

see CALENDAR page 10

CALENDAR

from page 9

Holladay. Details are at holladaychamber.com.

July 20, 10 a.m.-noon

"Business Growth Strategies," a SCORE event that will focus on clientele. Location is Sweet Library, 455 F St., Salt Lake City. Free. Details are at <https://www.sba.gov/event/1635893>.

July 24, 7:30-8:30 a.m.

"Coffee Connection," a Holladay Chamber of Commerce event. Location is Great Harvest, 4699 S. Holladay Blvd., Holladay. Details are at holladaychamber.com.

July 25, 10 a.m.-noon

"Government Contracting," a U.S. Small Business Administration (SBA) event. Location is Wallace F. Bennett Federal Building, 125 S. State St., Room 2222, Salt Lake City. Free.

Details are at <https://utahsbdc.org/trainings>.

July 26, 9-10 a.m.

Pitch Clinic, a West Jordan Chamber of Commerce event for business development professionals to hone their skills in delivering a powerful elevator pitch. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for chamber members, \$10 for nonmembers. Details are at westjordanchamber.com.

July 26, noon-1 p.m.

Women in Business Brown Bag Lunch, a West Jordan Chamber of Commerce event. Location is Residence Inn, 7558 S. Plaza Center Drive, West Jordan. Free. Details are at westjordanchamber.com.

July 30, 8 a.m.-noon

"Introduction to Human Resource Management Program," an Employers Council event taking place on Tuesdays through Aug. 27. Location is

Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$740. Details are at employerscouncil.org.

July 30, 11:30 a.m.-1 p.m.

Women in Business, a Sandy Area Chamber of Commerce event. Speaker is Scott Anderson, president and CEO of Zions Bank. Location is Salt Mine Productive Workspace, 7984 S. 1300 E., Sandy. Cost is \$20 for members, \$25 for nonmembers. Details are at sandychamber.com.

July 31, 8 a.m.-3:30 p.m.

"Lead Worker Training," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$225. Details are at employerscouncil.org.

Aug. 1, 6-7:30 p.m.

"Start Smart," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Aug. 1, 7:30-9 a.m.

Chamber Speaker Series, an Ogden-Weber Chamber of Commerce event. Location is Weber Center, 2380 Washington Blvd., Ogden. Free for chamber members and first-time guests. Details are at ogdenweberchamber.com.

Aug. 1, 8:30 a.m.-4 p.m.

"Supervisory Skills Program," an Employers Council event over four consecutive Thursdays and providing a foundation of critical skills necessary to become an effective workplace leader. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$740. Details are at employerscouncil.org.

Aug. 2, 8-10 a.m.

Friday Forum, a Utah Valley Chamber event. Location is Utah Valley Convention Center, 220 W. Center St., No. 200, Provo. Details are at thechamber.org.

Aug. 2, 8-10 a.m.

First Friday Face-to-Face, a West Jordan Chamber of Commerce business-to-business networking event. Location is the Megaplex Theatres at The District, 3761 W. Parkway Plaza Drive, South Jordan. Free. Details are at <http://firstfriday-networking.com/>.

Aug. 2, 8:30-11:30 a.m.

"Grow Your Business: Idea Validation," a Small Business



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see CALENDAR next page

Leadership lessons from the great Yogi: 'If the world were perfect, it wouldn't be'

I love summer, largely because it's baseball season. I've loved the game my entire life, and I'm unabashedly a diehard Boston Red Sox fan. Even so, one of my favorite players is Lawrence Peter "Yogi" Berra, the Hall of Fame catcher for the New York Yankees.

Those who follow baseball know that the most intense — and often most bitter — sports rivalry on the planet is between my beloved Red Sox and the Yankees. So, I hate the Yankees, but I love Yogi.

How can this be?

It's because Yogi seemed to understand that baseball is more than a game. It is a metaphor, with rich insights for each of us, as players and coaches in the game of life. Those insights have great value for business as well.

The Game is Largely Mental. Yogi recognized that much of baseball is played outside the baselines, within each player and coach's mind. He once said, "Baseball is 90 percent mental, and the other half is physical." While the math is questionable, his observation is extraordinarily accurate. Virtually all great success begins with our deep thoughts, faith and desires. I think Napoleon Hill may have been inspired by Berra when he said, "Whatever the mind can conceive and believe, the mind can achieve."

Responding to Failure. The mental part of baseball has much to do with how players and coaches respond to imperfection. Yogi is representative of all players inducted into the Hall of Fame. His career batting average is .285. In other words, as one of the greatest players of all time, he failed 71.5 percent of the time! With such a high failure rate, Yogi must have been discouraged most of the time, right? Wrong! He once shrugged off his batting struggles, saying, "Slump? I ain't in no slump! I just ain't hitting." Yogi followed a simple rule of resilience: *Have a short memory!*

Successful baseball players recognize that having a short memory means getting over mistakes quickly, knowing that they will be challenged to make the next play, often immediately after a failure. They have learned that to dwell on a failure is often to compound it with another error. They learn to "want the ball." When mistakes are made in business, we can't afford the luxury of becoming depressed or whining. We need to dust ourselves off and get back

to work.

Continuous Improvement.

Having a short memory, however, doesn't mean being apathetic about one's performance. As Yogi once said, "We made too many wrong mistakes." After every game, he, his teammates and coaches assessed their performance.

Great players learn to be introspective. They seek to discover the root causes of their errors. They work to continuously improve the finer points of their game. Even when they are successful, they seek ways to improve. In business, we often refer to this as "kaizen," a Japanese word for continuous improvement in all processes, functions and positions within a company.

Vulnerability. One of the best Yogisms sums up vulnerability: "It ain't the heat, it's the humility." President Harry S. Truman famously said, "If you can't take the heat, get out of the kitchen." Vulnerability requires us to stay in the kitchen, and humility is essential, given the absolute certainty of errors, strikeouts and other mistakes. Great baseball players must be willing to be vulnerable. Every time they step into the batter's box, they are at risk. Beyond the risk of striking out, they risk physical injury from a 90-mile-per-hour fastball. But they stay in the game, giving their best effort every at-bat. So it is with each of us as we work and lead our businesses; we are at risk, but we must keep stepping up to the plate.

Learn to Laugh. Realize that when all is said and done, baseball (and business and life) is a game. Yogi said, "Take it with a grin of salt." Yes, there is much to be serious about, but there is almost always something to laugh about as well. Abraham Lincoln would have liked Yogi Berra. He said, "I laugh because I must not cry..."

Never Give Up. Yogi's 19 years as a player and seven years as a manager reflected this philosophy: "It ain't over 'til it's over." We would each do well in adopting this credo.

One definition of a yogi is "a markedly reflective or mystical person." Was Berra such a person? I don't know, but I will always appreciate the wisdom of this exceptional Yankee.

Richard Tyson is the founder, principal owner and president of CEO-builder, which provides forums for consulting and coaching to executives in small businesses.



RICH TYSON

CALENDAR

from previous page

Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Aug. 6, 11:30 a.m.-1 p.m.

Business Alliance Networking Luncheon, a Davis Chamber of Commerce event. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Free. No RSVP required. Details are at davischamberofcommerce.com.

Aug. 6, 11:30 a.m.-1 p.m.

"Let's Do Lunch," a South Jordan Chamber of Commerce event. Location to be determined. Details are at southjordanchamber.org.

Aug. 7, 8 a.m.-noon

"Family and Medical Leave Act Essentials," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

Aug. 7, 5-7 p.m.

Business After Hours, an Ogden-Weber Chamber of Commerce event. Location is Weber County Fairgrounds, 1000 N. 1200 W., Ogden. Free for chamber members and first-time guests, \$10 for nonmember guests. Details are at ogdenweberchamber.com.

Aug. 7, 6:30-8 p.m.

"Simple Steps: Startup Assistance," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Aug. 8-9

"Innovation Mindset," a University of Utah event. Location is University of Utah Executive Education, 1731 E. Campus Center Drive, Salt Lake City. Cost is \$1,800. Details are at <https://eccles.utah.edu/programs/executive-education/product/creating-a-culture-of-innovation/>.

Aug. 8, 11:30 a.m.-1 p.m.

WIB Luncheon, a Davis Chamber of Commerce event. Location is 850 N. 2200 W., Layton. Cost is \$20. Details are at davischamberofcommerce.com.

Aug. 8, noon-1 p.m.

E-Commerce Platform Showdown, a Silicon Slopes event featuring a discussion about e-commerce platforms,

including Magento, Shopify and WooCommerce. Location is Silicon Slopes, 2600 W. Executive Parkway, Suite 140, Lehi. Free. Details are at siliconslopes.com.

Aug. 8, 6-9 p.m.

"Podcasting, YouTube and Social Media," a Silicon Slopes event. Location is Silicon Slopes, 2600 W. Executive Parkway, Suite 140, Lehi. Details are at siliconslopes.com.

Aug. 8, 6-8 p.m.

"Business Essentials Training," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Aug. 9, 7:30-8:30 a.m.

"Eggs & Issues," a Murray Area Chamber of Commerce event. Speaker is Rosalba Dominguez, candidate for Murray City Council's District 3. Location is Anna's Restaurant, 4770 S. 900 E., Salt Lake City. Free unless ordering from the menu. Open to everyone. Details are at murraychamber.org.

Aug. 9, 7:30 a.m.-noon

Small Business Nine-Hole Golf Tournament, a Salt Lake Chamber event. Location is Stonebridge Golf Course, 4415 Links Drive, West Valley City. Cost is \$75, \$30 for bunch only. Sponsorships are available. Details are at slchamber.com.

Aug. 9, 7:45-9 a.m.

Women in Business Networking, an Ogden-Weber Chamber of Commerce event. Location is Weber Center, 2380 Washington Blvd., Ogden. Free for WIB members. Details are at ogdenweberchamber.com.

Aug. 9, 8:30-11:30 a.m.

"Grow Your Business: Business Foundation," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Aug. 13, 10-11:30 a.m.

"How to Become a Leader People Will Follow," a West Jordan Chamber of Commerce event. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for chamber members, \$10 for nonmembers. Details are at westjordanchamber.com.

Aug. 14, 8 a.m.-noon

"Frontline Leadership Training: Speaking Up and Down the Organization," a

Small Business Development Center (SBDC) event. Location is Tooele Technical College, Board Room, 88 S. Tooele Blvd., Tooele. Cost is \$98. Details are at <https://clients.utahsbdc.org/events.aspx>.

Aug. 14, 6-8 p.m.

"Starting Your Business 101," a Salt Lake Small Business Development Center (SBDC) event. Location is Salt Lake SBDC, Salt Lake Community College, MCPC 110, Sandy. Free. Details are at <https://clients.utahsbdc.org/events.aspx>.

Aug. 15-16

"Women's Leadership: Mastering Public Speaking," a University of Utah event. Location is University of Utah Executive Education, 1731 E. Campus Center Drive, Salt Lake City. Cost is \$1,800. Details are at <https://business.slchamber.com/events/details/university-of-utah-presents-women-s-leadership-mastering-public-speaking-11373>.

Aug. 15, 8:15 a.m.-3:30 p.m.

Utah Employers Summit, an Employers Council event. Location is Radisson Hotel Salt Lake City Downtown, 215 W. South Temple, Salt Lake City. Cost is \$199 for members, \$239 for nonmembers. Details are at employerscouncil.org.

Aug. 15, 11:30 a.m.-1 p.m.

Chamber Luncheon, a Davis Chamber of Commerce event. Location is 525 Deseret Drive, Kaysville. Cost is \$20 for members, \$25 for guests. Details are at davischamberofcommerce.com.

Aug. 15, 11:30 a.m.-1 p.m.

"Multiplying Lasting Profitable Relationships," a West Jordan Chamber of Commerce event. Presenter is Clay Neves of Personal Sales Dynamics. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for members, \$10 for nonmembers. Details are at westjordanchamber.com.

Aug. 15, 5:30-8 p.m.

19th Annual "Celebrating Women in Business: Summer Social," a Women's Business Center Utah event. Location is Clubhouse SLC, 850 E. South Temple, Salt Lake City. Cost is \$40 before July 16, \$60 July 16-Aug. 8, \$80 after Aug. 9. Details are at slchamber.com.

Aug. 16, 7:30-8:30 a.m.

Eggs & Issues, a Murray Area Chamber of Commerce event. Speaker is Jake Pehrson,

Opinion

Central planning schemes are uninspiring & poison to innovation

The more things change, the more they stay the same” is the best way to describe the lack of original thinking that is prevalent in politics. Take the recent resurgence of calls from politicians on both sides of the aisle to implement industrial policy.

These calls are motivated to address the (mythical) decline in American manufacturing — and because other countries are doing it. These policies are tired, utterly uninspiring schemes that governments around the world have tried and, invariably, failed at.

The latest example is a proposal by Sen. Gary Peters, D-Mich., to create a new federal agency called the National Institute of Manufacturing. Not to be confused with the National Institutes of Health, the senator explains, “This will be an executive branch agency that will house our national manufacturing programs under one roof,” and effectively coordinate a strategic vision for manufacturing.

But let’s examine the problems this scheme is supposed to address. The first is the supposed decline of American manufacturing. In reality, while manufacturing employment has gone down significantly over the last 40 years, U.S. manufacturing output is now near an all-time high. Ironically, it recently dipped a bit because

of the trade war now being waged by the same government Peters thinks is necessary to revive manufacturing.

Industrial capacity — the existing ability of American factories and workplaces to produce industrial output — is also higher than at any time in the past, thanks to productivity growth brought about by labor-saving innovation. Contrary to popular belief, this transformation is beneficial, as the increased productivity fuels the significant wage growth enjoyed by those still employed in manufacturing.

As for the notion that “other countries are doing it,” I’m curious to hear what great successes have come out of, say, China’s industrial policies. In his latest book — *The State Strikes Back: The End of Economic Reform in China?* — Nicholas Lardy of the Peterson Institute for International Economics shows that China’s growth since 1978 has actually been the product of market-oriented reforms, not state-owned programs.

Lardy notes that in 2012, about 70 percent of China’s GDP was produced by private firms. He details the toll taken on the Chinese economy by the recent increase in ambitious industrial policies and the growth of the state-owned sector. His conclusion is that unless China

reverses course and the growing weight of state-owned enterprises, government debt and malinvestments, China’s growth will wither away.

Why should we want America to become more like China? Here’s yet another politician thinking that somehow, the same government that started a war in Iraq on faulty intelligence, botched the launch of HealthCare.gov, gave us the Solyndra scandal and can keep neither Amtrak nor the Postal Service solvent, can effectively coordinate a strategic vision for American manufacturing.

There are already 58 existing federal programs that offer manufacturing funding through 11 federal agencies. These programs include the crony Export-Import Bank, which props up the bottom line of large domestic companies by offering taxpayer-backed loans to equally large, often state-owned, foreign firms. The senator believes that these agencies’ apparent failures are due merely to the fact that they aren’t all in the same place. Somehow, moving them all under the care of a manufacturing czar is supposed to unleash their magical powers.

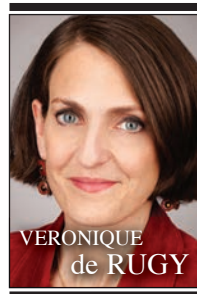
U.S. industrial policies launched in response to the rise of Japan in the 1980s and the USSR before that failed, not because American policy mavens weren’t smart enough to do things right. The real

problem with industrial policy, economic development strategy, central planning or whatever you want to call these interventions is that government officials are inescapably plagued by ignorance of localized knowledge. Government officials cannot outperform the wisdom of the market at picking winners. In fact, government intervention in any sector creates distortions, misdirects investments toward politically favored companies and hinders the ability of unsubsidized competitors to offer better alternatives. Central planning in all forms is poisonous to innovation.

As Peters notes, “If you go on the factory floor in Michigan, it’s not your father’s or grandfather’s factory.” Indeed! American companies are in fact fantastically innovative and productive on their own. They have evolved to produce more of what consumers want at lower costs — most of them without a central planner directing them from Washington. Old ideas that have never worked are no way to foster more innovation. Lighter regulations, a better tax code, more immigrants and freedom to do what they do best are what entrepreneurs need.

Veronique de Rugy is a senior research fellow at the Mercatus Center at George Mason University in Fairfax, Virginia.

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VERONIQUE de RUGY

Hong Kong reminds us of the fragility of China’s political system

Recently, according to organizers, about 2 million people marched in a Chinese city to protest an extradition bill that they labeled Chinese “tyranny.” If accurate, it would mean that one in four Hong Kongers was out in the streets fighting Chinese encroachment. While it is difficult to predict what path this story will take, it highlights something we tend to forget: the fragility of the Chinese political system.

China’s rise has been something of a miracle. It is, quite simply, the most successful case of economic development in human history. The country’s gross domestic product has grown around 10 percent a year for 40 years, moving more than 850 million people out of poverty. This accounts for the vast majority of poverty reduction on the planet. In doing so, China has also proved to be the greatest exception to a near-iron law of politics.

Decades of political-science research have shown that there is a fairly strong connection between economic growth and democracy. As countries modernize their economies, typically they are forced to also change their societies and, eventually, their political systems to make them more open, accountable and democratic. There are outliers, such as oil-rich countries, which gain their wealth without any need to modernize. And yet, more recent scholarship has affirmed the basic link: As you

get rich, the chances of becoming more democratic increase.

Not China. Until recently, the main exception to “modernization theory” was Singapore, a tiny city-state, viewed as a small hothouse with extremely gifted leaders and thus revealing very little about the rest of the world. Yet China, too, kept getting richer while staying resolutely nondemocratic. In fact, in recent years, the political system has become more repressive, censorship has increased and the country’s president has dispensed with term limits for himself.

What explains China’s almost unique path to wealth without democracy? Yuen Yuen Ang of the University of Michigan argues that over the past few decades, China has actually developed an “autocracy with democratic characteristics.” She notes that reforms have made the country’s vast administrative bureaucracy — once a stagnant, communist behemoth — more nimble, transparent and accountable. These changes should be considered a type of political reform, she argues.

Ang and others point to China’s highly meritocratic political system, where officials move up through rigorous examinations, evaluations and objective measures of results like economic growth. This exceedingly competitive system ensures quality and responsiveness, defenders say. Scholars like Shandong University’s Daniel Bell argue that such a

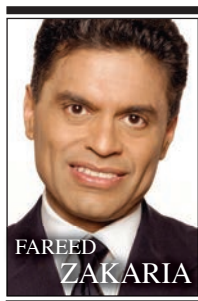
political model rests on the trust and faith in a Mandarin governing class that is a key feature of Confucian societies.

And yet, one has to wonder. Good bureaucracy is not the same thing as democracy, which centers on the ability to both choose your leaders and throw them out of power. As for Confucian societies, whenever we hear cultural arguments, let’s not forget Hong Kong and Taiwan. Both are thoroughly Chinese societies with a strong affinity for democracy, as has been apparent over the past few weeks.

The United States is now quarrel-

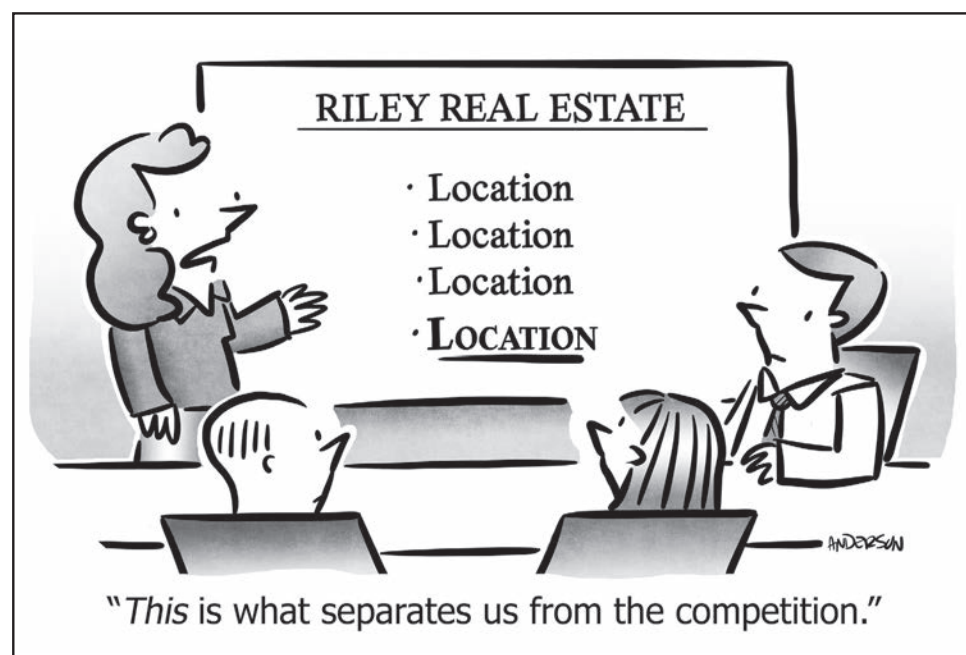
ing with China on several fronts. In these sorts of geopolitical struggles, Americans often make the mistake of believing that their adversary is 10 feet tall — think of the Soviet Union. First, it’s not clear that China is an adversary in the Cold War sense; it may be more aptly described as a competitor. More important, while China has great strengths, it also has weaknesses.

Consider President Xi Jinping’s situation. Growth in China has slowed sub-



FAREED ZAKARIA

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Succeeding in Your Business

Planning to buy a business without a lawyer? Don't!

"Two weeks ago, I signed a contract to buy a business. I didn't use a lawyer because the contract seemed fair, and I felt I understood what it said. I put up a \$25,000 deposit to buy this business, and the closing is in two weeks.

"The seller's attorney has been calling me every day asking me questions about the documents that I am responsible for delivering for the closing. When I attempt to discuss these with him, he tells me he can't talk to me directly but only to my attorney. I told him I don't have an attorney. He says I need to have one.

"The big problem I'm facing is that I'm having trouble getting a new lease from the landlord where this business is located. The landlord and I have agreed on terms, but he can't get the lease documents to me for another couple of weeks. Also, my bank is taking forever to process the refinancing on my house that I will need to do in order to pay the purchase price. I've asked the seller to

extend the closing so that I can get the lease and the bank loan, but the seller is refusing to do so.

"I have tried calling a couple of local lawyers to see if they will help me with the closing, but they are not returning my phone calls.



CLIFF
ENNICO

"What is going on here? I am starting to feel like I'm being ripped off — that the seller is going to take my \$25,000 because I won't have a lease at the closing. I shouldn't be forced to retain an attorney if I don't want to have one."

By the tone of this email, I am sure this reader is an extremely intelligent person. But he or she has done an incredibly dumb thing.

When you sign a contract of sale to buy a business, you are legally obligated to close by the date set out in the contract. If you are not in a position to close on that date and the seller is not a good person who will grant you an extension of time out of the good-

ness of his heart, the deal is forfeit, and the seller can take your upfront deposit.

If getting a new lease was a condition that had to be met before closing, that should have been clearly spelled out in the contract, with language put into the contract providing for an automatic extension of the closing date until you get the lease. A good attorney would have known to put that language into the contract.

Here are some other things that should have been in the contract but probably aren't:

- A clause allowing you to form a corporation or limited liability company (LLC) to act as the purchaser of the business.
- A closing date that is at least 60 to 90 days after the contract date (30 days — two weeks plus two weeks — is not nearly enough time).
- A financing contingency allowing you to get out of the deal and get your deposit back if a bank refuses to lend you the money necessary to pay the purchase price.

- A clause allowing you to get out of the deal and get your deposit back if you can't get any licenses or permits (such as a zoning clearance) to operate the business at this location.

- A clause requiring the seller to hold some of the purchase price in escrow until you can confirm that the seller doesn't owe any sales or other taxes to the state or local government.

- A clause allowing you to "do diligence" on the business and get out of the deal if you or your advisors see anything about this business that you don't like.

A good lawyer could have negotiated these for you, but it's now too late: You are stuck with the contract you signed.

The seller's attorney is technically right not to talk to you. He is representing the seller, after all, and cannot make any concessions to help you out unless his client agrees to them. Also, there is a very

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ZAKARIA

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stantially. It is being bolstered because local governments and state-owned companies are borrowing vast sums of money. The country confronts a future with fewer workers, the consequence of its one-child policy (itself a classic example of the dangers of dictatorship — a centrally directed mistake, implemented with ruthless efficiency).

But perhaps above all, China has a political system that faces real pressure. In an age of populism and anti-elitism, China is still ruled by a cadre of distant elites. The Chinese Communist Party maintains power through the promise of growth and the application of force. It uses an elaborate system of censorship and increasingly sophisticated espionage on its own people. It faces a populace that is not genetically or culturally different from those in Taiwan and Hong Kong — where millions are making clear that they don't want just good government or clever bureaucrats but democracy. It might well turn out that the trade war with America is one of Xi Jinping's lesser problems.

Fareed Zakaria's email address is comments@fareedzakaria.com.

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CAREERS

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CAI

from page 1

Utahns feel that the availability of affordable housing has improved slightly since last year. Fewer Utahns are spending large portions of their income on housing. Twenty-seven percent of Utahns report they spend 40 percent or more of their monthly income on housing, down 2 percent since last year and 19 percent spend 50 percent or more, also down 2 percent since last year.

Though the affordability of housing appears to be improving, Utahns feel about the same about the supply of housing as they did last year. The percentage of Utahns who feel that housing within their area and price range is readily available has remained

essentially unchanged at 34 percent. Still, new housing developments are drawing Utahns' attention. Twenty-one percent of Utahns have considered moving into new housing developments emerging across Utah.

"There are many moving parts when it comes to supply meeting demand for housing," said Randy Shumway, chairman and partner of Cicero Group, a Salt Lake City consulting firm that does data collection and analysis for the CAI. "Utah's economic boom has brought more high-paying jobs to Utah and raised many Utahns' incomes and, therefore, the price they're willing to pay for housing. But supply constraints such as land availability and city development limitations make it difficult to match supply and demand in the near term."

VOLUNTEERS



International Relief Teams Seeks Skilled Construction Volunteers

International Relief Teams (IRT) is seeking volunteers with construction skills (handypersons or licensed contractors) for one week deployments to U.S. flood affected areas to help those families who cannot financially recover on their own, get back into their homes. Our construction teams are currently working in Louisiana in the aftermath of last year's record floods, and anticipate we will be needed in Texas in the near future.

Although skilled construction volunteers are our first priority, we will be adding a limited number of unskilled volunteers to each team. All volunteers accepted for this assignment will be flown commercially from an airport near their home to an airport near the job site, leaving on a Sunday and returning the following Sunday. IRT will provide minivans for volunteers to use to for local transportation to and from the arrival airport and to and from the job site.

Teams will be housed at local churches or other suitable facilities. Volunteers are responsible for bringing their own bedding, towels, and toiletries. There is a \$150 volunteer participation fee to help cover airfare and local transportation costs, and volunteers are responsible for their own meals while on assignment.

Work is performed Monday through Friday (full days) and a half day on Saturday. Job assignments generally include installing windows, doors, kitchen cabinets; laying tile, linoleum, or wood flooring; building handicap ramps to the home; roofing; drywall and mudding; finish carpentry work, finishing plumbing; and other related tasks. We ask each volunteer to bring basic hand tools, such as a tool belt, hammer, pliers, putty knives, tape measure, etc. Power tools, generators, compressors, and other large specialty tools are provided by IRT and our local agency partners.

For more information, contact Brett Schwemmer (bschwemmer@irteams.org), or to apply for an assignment, fill out an online volunteer application (www.irteams.org).

About IRT: Since 1988, IRT has been actively involved in helping families in need in 68 international disasters, and 24 U.S. disasters. IRT construction teams worked for more than six years repairing and rebuilding homes in Mississippi after Hurricane Katrina, and four years in New Jersey after Superstorm Sandy, and is now working in Louisiana after last year's record floods.

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